

The House Committee on Public Safety and Homeland Security offers the following substitute to SB 6:

A BILL TO BE ENTITLED
AN ACT

To amend Article 1 of Chapter 5 of Title 42 of the Official Code of Georgia Annotated, relating to general provisions regarding correctional institutions of the state and counties, so as to prohibit the use of unmanned aircraft systems to deliver or attempt to deliver contraband to a place of incarceration; to prohibit the use of unmanned aircraft systems to photograph any place of incarceration without permission of the warden or superintendent of such place of incarceration; to provide for penalties; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 1 of Chapter 5 of Title 42 of the Official Code of Georgia Annotated, relating to general provisions regarding correctional institutions of the state and counties, is amended by revising Code Section 42-5-18, relating to items prohibited for possession by inmates, warden's authorization, and penalty, by adding a new subsection to read as follows:

"(f)(1) It shall be unlawful for any person to intentionally use an unmanned aircraft system to violate the provisions of subsection (b) or (b.1) of this Code section.

(2)(A) It shall be unlawful for any person to intentionally photograph or otherwise record images of a place of incarceration through the use of an unmanned aircraft system for purposes of committing a criminal offense.

(B) Any person may secure prior authorization from the warden or the superintendent, or his or her designated representative, of such place of incarceration for photographing or recording as evidence of a noncriminal intent; provided, however, that failure to secure such prior authorization shall not evidence a criminal intent.

(3) Any person who commits or attempts to commit a violation of this subsection shall be guilty of a felony and, upon conviction thereof, shall be sentenced as follows:

(A) Any person convicted of a violation of paragraph (1) of this subsection shall be imprisoned for not less than one nor more than ten years; and

31 **SECTION 2.**
32 All laws and parts of laws in conflict with this Act are repealed.

SECTION 2.

All laws and parts of laws in conflict with this Act are repealed.